

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:
DAVID A. CARPENTER
GENENTECH, INC.
1 DNA WAY
SOUTH SAN FRANCISCO, CA 94080-4990

PCT

INVITATION TO PAY ADDITIONAL FEES

(PCT Article 17(3)(a) and Rule 40.1)

Applicant's or agent's file reference P1995R1	Date of Mailing (day/month/year) <i>10 May 2007</i>
International application No. PCT/US03/35268	PAYMENT DUE within ONE MONTH from the above date of mailing
International filing date (day/month/year) 06 November 2003 (06.11.2003)	
Applicant GENENTECH, INC.	

1. This International Searching Authority

(i) considers that there are 19214 (number of) inventions claimed in the international application covered by the claims indicated below/on an extra sheet:
Please See Continuation Sheet

and it considers that the international application does not comply with the requirements of unity of invention (Rules 13.1, 13.2 and 13.3) for the reasons indicated below/on an extra sheet:
Please See Continuation Sheet

(ii) ☐ has carried out a partial international search (see Annex) ☒ will establish the international search report on those parts of the international application which relate to the invention first mentioned in claims Nos.: 1-5, as drawn to SEQ ID NO: 1

(iii) will establish the international search report on the other parts of the international application only if, and to the extent to which, additional fees are paid.

2. The applicant is hereby invited, within the time limit indicated above, to pay the amount indicated below:

\$210.00	X	<u>19213</u>	=	\$4,034,730.00
Fee additional per invention		number of additional inventions		total amount of additional fees

The applicant is informed that, according to Rule 40.2(c), the payment of any additional fee may be made under protest, i.e., a reasoned statement to the effect that the international application complies with the requirement of unity of invention or that the amount of the required additional fee is excessive.

3. ☐ Claim(s) Nos. _____ have been found to be unsearchable under Article 17(2)(b) because of defects under Article 17(2)(a) and therefore have not been included with any invention.

Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/ US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	Authorized officer <i>Marianne P. Allen</i> Cherie Woodward Telephone No. 571-272-1600 <i>2/12/07</i>
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International application No.
PCT/US03/35268

This International Search Authority has found 19214 inventions claimed in the International Application covered by the claims indicated below:

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. In order for all inventions to be examined, the appropriate additional examination fees must be paid.

Group 1. Claims 1-5, drawn to drawn to nucleic acids, vectors, and host cells, with respect to SEQ ID NO: 1

Groups 2-1477. Claims 1-5, drawn to nucleic acids, vectors, and host cells, with respect to SEQ ID NOs: 2-1477.

Group 1478. Claim 6, drawn to a process for producing a PRO polypeptide.

Groups 1479-2956. Claim 7, drawn to an isolated PRO polypeptide, with respect to SEQ ID NOs: 1-1477.

Groups 2957-4434. Claims 8-9, drawn to a fusion protein comprising a polypeptide of SEQ ID NOs: 1-1477 fused to a heterologous amino acid sequence.

Groups 4435-5912. Claims 10-11, drawn to an antibody that binds to any one of SEQ ID NOs: 1-1477.

Groups 5913-7390. Claims 12-14, drawn to a composition comprising a polypeptide of any one of SEQ ID NOs: 1-1477.

Groups 7391-8868. Claim 15, drawn to an article of manufacture comprising any one of SEQ ID NOs: 1-1477.

Groups 8869-10346. Claims 16-17, drawn to a method of treating an immune related disorder comprising administering a polypeptide of SEQ ID NOs: 1-1477.

Groups 10347-11824. Claim 18, drawn to a method for determining the presence of a PRO polypeptide of SEQ ID NOs: 1-1477 in a sample.

Groups 11825-13302. Claims 19, 20, and 26, drawn to a method of diagnosing an immune related disease comprising detecting the level of expression of any of SEQ ID NOs: 1-1477.

Groups 13303-14780. Claim 21, drawn to a method of identifying a compound that inhibits the activity of a PRO polypeptide of SEQ ID NOs: 1-1477.

Groups 14781-16258. Claims 22-23, drawn to a method of identifying a compound that inhibits the expression of a gene encoding a PRO polypeptide of SEQ ID NOs: 1-1477.

Groups 16259-17736. Claim 24, drawn to a method of identifying a compound that mimics the activity of a PRO polypeptide of SEQ ID NO: 1-1477.

Groups 17737-19214. Claim 25, drawn to a method of stimulating the immune response in a mammal comprising administering any one of SEQ ID NOs: 1-1477.

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In order for more than one species to be examined, the appropriate additional examination fees must be paid. The species are as follows:

SEQ ID NOs: 1-1477, which are structurally and functionally distinct sequences.

1. This International Searching Authority considers that the international application does not comply with the requirements of unity of invention (Rules 13.1, 13.2 and 13.3) for the reasons indicated below:

The inventions listed as Groups 1-19214 do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group 10 is anticipated by KIMURA et al., Biochem Biophys Res Comm (14 October 1999); 264(1):86-92. KIMURA et al., teach human MafF, which is 100% identical to instant SEQ ID NO: 10, see especially p. 88. KIMURA et al., teach all of the limitations of claim 10. As such, the remaining groups lack the same or corresponding special technical feature.

Additionally, the species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: SEQ ID NOs: 1-1477 are drawn to distinct nucleic acids and amino acids that are each structurally and/or functionally different, one from the other. Thus, the species lack the same or corresponding special technical feature.

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